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Library Services and Construction Act: Reauthorization (1989-1994): Report 15

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98TH CONGRESS }
1st Session }

HOUSE OF REPRESENTATIVES

REPORT
No. 98-165

LIBRARY SERVICES AND CONSTRUCTION ACT AMENDMENTS OF 1983

MAY 16, 1983.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. PERKINS, from the Committee on Education and Labor,
submitted the following

REPORT

together with

DISSENTING VIEWS

[To accompany H.R. 2878]

[Including cost estimate of the Congressional Budget Office]

The Committee on Education and Labor, to whom was referred the bill (H.R. 2878) to amend and extend the Library Services and Construction Act, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment strikes out all after the enacting clause of the bill inserts a new text which appears in italic type in the reported bill.

INTRODUCTION

H.R. 2878 reauthorizes and amends the Library Services and Construction Act [LSCA], Public Law 597, the 84th Congress. The Act provides for Federal funding of public library programs and construction. The Federal role in assisting public libraries began in 1957 with a \$2 million appropriation under the newly enacted Library Services Act. Rural in its orientation, with funds available only to communities under 10,000 in population, the Act was soon expanded to become the Library Services and Construction in 1964 with the rural limitation removed and a construction title added. Since 1956, some 17 million Americans have received library serv-

ices for the first time, and another 90 million persons have benefited from improved services.

LSCA has four Titles: Title I, Services; Title II, Construction; Title III, Interlibrary Cooperation; and Title IV, Older Readers Services. The purpose of LSCA is to assist the states in the extension and improvement of public library services in areas of the states which are without such services or in which such services are inadequate, and with library construction. LSCA also assists in the improvement of library services for physically handicapped, institutionalized, disadvantaged, or elderly persons and with people with limited English-speaking ability. Other provisions contained in the Act provide for strengthening state library administrative agencies, and for promoting interlibrary cooperation among all types of libraries.

A requirement for Title I and II stipulates that the states and communities must match the Federal contribution on the basis of a ratio of the state's per capita income to the average per capita income of the United States. In no case can the Federal share be less than 33 percent or more than 66 percent of the cost of the program. The Federal share for Titles III and IV is 100 percent.

Under Title I of LSCA, grants are awarded to states to:

- Develop and improve library service in geographical areas and to groups of persons without such service or with inadequate service;

- Provided library services for patient and inmates of state-supported institutions, physically handicapped individuals, and disadvantaged persons in low-income areas, both urban and rural;

- Strengthen metropolitan public libraries which function as regional or national resource centers; and

- Strengthen the capacity of the State Library Agency to meet the library and information needs of all people.

Federal funds may be used for books and other library materials, equipment, salaries, other operating expenses, state-wide planning and evaluation of the programs, and for administration of the state plan which must be submitted in order to receive Federal funds.

The minimum basic allotment for each of the states, Puerto Rico and the District of Columbia is \$200,000. For American Samoa, Guam, the Virgin Islands and the Trust Territories of the Pacific Islands, it is \$40,000. To be eligible for any grant, maintenance of state and local effort is required.

Grants are made to the states for public library construction under Title II of LSCA. "Public library construction" is defined as the construction of new public library buildings and the acquisition, expansion, remodeling, and alteration of existing buildings for use as public libraries, and the initial equipment of such buildings. Architects' fees and the cost of the acquisition of land are also eligible expenses. When appropriations are sufficient the basic allotment for each state is \$100,000; and for each outlying territory, \$20,000. Title II was not funded from 1972 until the current fiscal year. \$50 million was appropriated for fiscal year 1983 under the Emergency Jobs Appropriation Act.

Title III, Interlibrary Cooperation, provides grants to states for the planning, establishment and maintenance of cooperative net-

works of libraries at the local, regional or inter-state level. Such cooperative networks must provide for the "systematic and effective coordination of the resources of school, public, academic and special libraries and information centers in order to improve supplementary services to the special clientele served by each type of library or center." Providing appropriations are adequate, the basic allotment for states is \$40,000; and for each outlying territory, \$10,000.

Grants for Title IV, Older Reader Services, are made to the states for the provision of library services for the provision of library services for the elderly—including the purchase of special library materials, payment of salaries for elderly persons who wish to work in libraries, provisions of in-home visits by library personnel to the elderly, and the furnishing of transportation to enable the elderly to have access to library services. Providing appropriations are sufficient, the basic allotment to each state is \$40,000; and to each outlying territory, \$10,000. However, Title IV included in the Older Americans Act of 1973 (Public Law 93-29), has never been funded.

In order to participate in any LSCA program, each state must have a basic state plan approved by the Secretary of Education, plus a long-range, five year plan on state priorities for meeting the information needs of the people within the state. A plan must also be submitted for each Title of the Act in which a state participates.

The Subcommittee on Postsecondary Education held a series of hearings across the Nation during the 97th Congress to review how well LSCA functioned in providing library programs. More than 200 witnesses testified or presented written testimony. Most of them agreed that LSCA was vital to the well being of public library programs. The original goal of providing libraries for all geographic locations throughout the country has been to a great extent achieved—with over 96 percent of the Nation having access to library services. However, with the information explosion that occurred since the 1950s the demand on public libraries increased dramatically. Libraries no longer serve as only repositories for books. They provide a wide range of information services and special programs for disadvantaged populations. Over the past 25 years the scope of LSCA has changed to allow for this expanded role. Today most libraries are serving not only the traditional needs of the community but are becoming information and referral centers which provide such diverse services as literacy training and outreach programs for the elderly.

The Subcommittee also found that as the economic situation has worsened and more and more people were seeking employment, libraries were utilized by both employees and employers. Moreover, as people found that they could no longer afford books and periodicals they turned to the library for those needs. Although LSCA had done a good job in providing programs for libraries and library users, it was clear that some major changes were needed if the role of the library in what is rapidly becoming an information society was to meet the challenges of the remainder of the decade.

NEED FOR THIS LEGISLATION

LSCA was last reauthorized in 1977 and was due to expire in October 1982. However, under the Omnibus Budget Reconciliation Act of 1981, LSCA was extended through the 1984 fiscal year. The Subcommittee conducted extensive oversight hearings in Washington and around the Nation during the last Congress to prepare for reauthorization. In general, LSCA programs were praised for the services they provided. However, certain areas of concern were raised:

The focus of LSCA needed to be changed from providing geographic access to a strong emphasis on providing access to services for a wide range of populations;

Libraries should be considered community information and referral centers, not just repositories for books;

There are no provisions for library services for America's Indian tribes;

Increased emphasis is needed on interlibrary cooperation;

Funding is desperately needed for Title II construction programs;

Although many libraries provided or coordinated extensive literacy training programs, no monies were specifically earmarked for literacy programs; and

Many libraries serve populations which spoke English as a second language but there was no LSCA funding available for the purposes of purchasing foreign language materials and in most cases projects involving foreign language materials were given a low priority by State library agencies.

The Committee believes these are compelling reasons why LSCA should be reauthorized at this time. Many of the needs outlined are directly tied to the Nation's economic, education, and employment well-being. Delaying the implementation of these changes only allows those problems to grow and become magnified.

The use of LSCA monies to provide for public library construction not only provides needed facilities for libraries, it also provides employment opportunities for those in the construction industry. Although \$50 million has been provided for fiscal year 1983 by an Emergency Jobs bill for library construction, the authorization ceiling established in the Omnibus Budget Reconciliation Act of 1981 does not allow funding for the construction title. Unless that ceiling is changed by law, there probably will be no funding for fiscal year 1984.

Similarly, providing literacy training and library services for Indian tribes are both measures which help to alleviate serious employment and educational dilemmas. H.R. 2878 would provide for two new titles which would address these problems. Title IV of the bill calls for direct funding to Indian tribes to set up library service programs. Title VI allows libraries to apply directly to the Secretary of Education for funding to establish and coordinate literacy programs.

The expanded Title III will help state and local private and public libraries to share information and will ultimately increase services to library users, make information available from all

corners of the Nation to library users in diverse geographic locations, and will eventually reduce the costs of library programs.

Finally, expanding the role of libraries into community information and referral centers should be accomplished as expeditiously as possible. With the amount of knowledge individuals require growing on an almost daily basis, it is becoming critical that there be a source of information readily available to all citizens. That is the role that the LSCA reauthorization will enable public libraries play.

LEGISLATIVE HISTORY

The Committee on Education and Labor Subcommittee on Post-secondary Education held oversight hearings on the Library Services and Construction Act on September 15, 1981 in Washington, D.C.; September 17, 1981, in Detroit, Michigan; September 23, 1981 in New Haven, Connecticut; October 19, 1981 in Cleveland, Ohio; November 9, 1981 in Kansas City, Missouri; and December 6, 1981 in San Francisco, California. Testimony was received from over 200 witnesses, including State librarians, local librarians, delegates to the White House Conference on Library and Information Services Members of the National Commission on Libraries and Information Science, State legislators and other State officeholders, and public library users. On December 9, 1982 in consultation with members of the library community the Subcommittee circulated a discussion draft of the legislation incorporating recommendations received during the hearings. On April 15, 16, and 17, 1983, the Subcommittee held legislative hearings on the proposed legislation. On May 3, 1981, Representative Paul Simon, the Subcommittee Chairman and other Members of the Subcommittee, introduced H.R. 2878 to reauthorize and amend the Library Services and Construction Act.

The Subcommittee held a mark-up on the bill on May 5, 1983 and H.R. 2878 was reported with three amendments. On May 11, 1983 the full Education and Labor Committee reported the bill with two amendments, unanimously by voice vote.

A companion bill has not yet been introduced in the Senate.

COMMITTEE EXPLANATION OF LEGISLATION

There were two main goals in the reauthorization of LSCA:

To reauthorize the Act for five years;

To expand the Act to meet the needs of populations which have previously been underserved and to allow libraries to enter into the new era of information that is progressing so rapidly.

In order to accomplish the second goal it was necessary to expand the definition of what a library was and what functions it should serve. Throughout the legislation the library is referred to as a community information and referral center. The purpose of this language is to allow libraries to expand the informational role that they can play in the community. The Committee intends that the purpose of the community information and referral centers is to, in addition to furnishing the information usually furnished by libraries, systematically refer inquiries to an organization, agency, or individual competent to provide the information required. This

expanded function can be vital to library users in search of community services or information related to services available outside of the library.

In order to ensure that as much money as possible reaches local public libraries, the Committee placed a cap on how much money can be spent by the State library in the form of administrative costs. Previously there was no limit. H.R. 2878 imposes a five percent or \$50,000 (whichever is larger) cap on these expenses. In full Committee an amendment was offered by Mr. Coleman to stipulate that administrative cost funds must come from Titles I and II of the Act. In the original bill all administrative monies could be taken from Title I. In agreeing to the amendment the Committee's intent was to ensure that if a state received funding under Title II of the Act the five percent allowable administrative cost related to Title II activities would have to come directly from Title II. As amended the bill requires that a state not spend more than five percent of the total amount appropriated under Titles I, II, and III on administration. The amounts allowable under Title I and Title III could be taken from Title I funds, but the amount allowable from Title II would have to be taken from that Title. If the five percent amounted to less than \$50,000 the State could take up to \$50,000 from Title I of the Act for administrative costs.

In recent years a problem has developed in disbursement of funds to states. As a result libraries have at times not received funding until the year was half over. This has caused programs to be eliminated even though eventually the funding became available. In order to prevent the reoccurrence of this funding problem the bill provides for forward funding of library programs.

In Title II of the Act the definition of what are allowable construction expenses is reiterated. In past years the Department of Education has issued regulations which precluded all but new construction of facilities as allowable. H.R. 2878 specifies that other permissible uses include: remodeling for handicapped accessibility, energy conservation and renovation and remodeling to accommodate new technologies. The bill also allows the purchase of existing historic buildings for conversion into libraries but it is the intention of the Committee that this course of action should only be followed if the buildings are suitable for renovation into libraries. H.R. 2878 also permits libraries to sell buildings constructed with LSCA funds if the Federal government is recompensed in proportion to the amount it originally furnished for the construction. If the building is over 20 years old no compensation is due to the Federal government.

Title III of the Act is strengthened and expanded in terms of what states should be doing to participate in interlibrary cooperation and resource sharing. While the bill does not mandate that the States meet all the specifications in Title III it does require that state plans be developed which show that the state is attempting to eventually comply with the standards set forward in the Title.

Under H.R. 2878, Title IV is directed to providing library services to Indian tribes. Previously Title IV was Older Readers Services. However, after ten years that Title had never been funded so the programs provided for older readers were incorporated as legitimate expenses under Title I of the bill. The new Title IV allows

Indian tribes to receive funding directly from the Secretary of Education for the purpose of developing library services. Each tribe recognized by the U.S. government is entitled to an equal grant from the Secretary. Additionally, funding is available for discretionary grants for long range library programs. Two percent of the funding for each of Titles I, II, and III is set aside to fund Title IV. Although Title IV funding goes directly to Indian tribes, it is the intention of the Committee that the tribes coordinate library service programs with State libraries in order to ensure maximum benefit from Federal library funds. The Committee also believes that Indian tribes should participate in resource sharing to the extent possible.

H.R. 2878 creates two new titles under LSCA. Title V provides for discretionary grants directly to libraries for the purpose of purchasing foreign language material. This will be particularly beneficial to libraries which have large numbers of users who speak English as a second language.

Title VI of H.R. 2878 allows libraries to apply directly to the Secretary of Education for grants to be used in the provision and coordination of literacy programs. Both State and local libraries are allowed to apply for the grants. In creating this Title, the Committee recognizes that libraries have already provided leadership in promoting literacy programs but that the problem is so serious nationwide that additional efforts are necessary.

COST OF H.R. 2878

In compliance with clause 2(1)(3)(C) of rule XI of the Rules of the House of Representatives, the estimate and comparison prepared by the Director of the Congressional Budget Office pursuant to section 403 of the Congressional Budget Act of 1974, as timely submitted prior to the filing of this report, is set forth as follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, D.C., May 13, 1983.

HON. CARL D. PERKINS,
Chairman, Committee on Education and Labor,
U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Pursuant to Section 403 of the Congressional Budget Act of 1974, the Congressional Budget Office has prepared the attached cost estimates for H.R. 2878, the Library Services and Construction Act Amendments of 1983, as ordered reported by the House Committee on Education and Labor on May 11, 1983.

Should the Committee so desire, we would be pleased to provide further details on the attached cost estimates.

Sincerely,

JAMES BLUM
(For Alice M. Rivlin, Director).

CONGRESSIONAL BUDGET OFFICE—COST ESTIMATE

1. Bill number: H.R. 2878.